IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

WP(C).No. 26356 of 2007(K)

PETITIONER:

VODAFON ESSAR CELLULAR LTD.
FORMERLY KNOWN AS HUTCHISON ESSAR CELLULAR LTD.,
ASHISH BUILDING, COCHIN-31, REPRESENTED BY ITS MANAGER
LEGAL, RAJESH, MELETH VEETIIL, AGED 36 YEARS,
S/O.RAGHAVAN MELEHVEETTIL.

BY ADV. SRI.P.SATHISAN

RESPONDENTS:

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1. IRIMBILIYAM GRAMA PANCHAYAT REPRESENTED BY ITS SECRETARY, IRIMBILIYAM, TIRUR TALUK, MALAPPURAM DISTRICT.

2. SECRETARY, LOCAL ADMINISTRATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

R2 BY ADV. SRI. K.J. MOHAMMED ANSAR, GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 26356 OF 2007

Dated this the 4th day of September, 2007

JUDGMENT

On considering this Writ Petition for admission and hearing the submissions of Sri.P.Sathisan, counsel for the petitioner and submissions of the learned Government Pleader, who has taken notice on behalf of the 3rd respondent, I am of the view that even before issuing notice to the 1st respondent-Panchayat, this Writ Petition can be disposed of at this stage itself issuing the following directions:

The 1st respondent Panchayat will finalise the action which is proposed as per Ext.P4 taking into account Ext.P5 objections/petition filed by the petitioner. Final orders as mentioned above will be passed by the Panchayat with notice to the petitioner and also with notice to anybody who filed complaint before the Panchayat about the installation of mobile tower by the petitioner on the roof top of building having door No.IP 3/178 H or IP 3/178 J. Orders as directed above will be passed by the Panchayat at the earliest and at any rate within six weeks of receiving copy of this judgment.

PIUS C. KURIAKOSE, JUDGE

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